

REMARKS

This Response and Amendment is filed in supplement to the Reply and Amendment filed by Applicants on April 21, 2004 and in response to the Office Communication of June 29, 2004. Entry of the foregoing and reexamination and reconsideration of the subject application, as amended, are respectfully requested in light of the remarks which follow.

In the Office Communication of June 29, 2004, the Examiner stated that the independent claims not previously withdrawn from consideration (*i.e.*, claims 89, 105, 107, 117 and 118), were amended in the Amendment and Reply of April 21, 2004 to state that the proteins are expressed from independent expression control elements. The Examiner stated these amendments cover subject matter from non-elected Group II of the Restriction Requirement of May 7, 1999.

In the interest of expediting prosecution, Applicants have amended claims 89, 105, 107, 117, 118, 124, 126, 129, 131 and 136 herein, and claims 100 and 113 are canceled without prejudice or disclaimer thereto. Applicants reserve the right to file at least one continuation or divisional application directed to any subject matter canceled by way of the present Amendment.

Specifically, the claims are amended herein to remove the phrase "the polypeptides of papillomavirus are expressed from independent expression control elements". The claims as amended recite that the early papillomavirus polypeptides are nononcogenic variants of the native E6 and E7 polypeptides, and that the late papillomavirus polypeptides are native. Support for these amendments may be found throughout the specification as-filed, especially at page 4, line 9 ("native") and line 39 ("nononcogenic variant").

Applicants submit that the claims as amended herein are not subject to the rejections as presented in the Office Action of November 5, 2003, as the presently amended claims are directed to the native papillomavirus polypeptides. Further to the Reply and Amendment filed by Applicants on April 21, 2004, Applicants note that the cited references (Stanley et al., Crook et al., Munger et al., Galloway, Lowy et al. and Bubenik et al.) recite compositions using fused papillomaviruse polypeptides.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,

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